

Minutes
Air Pollution Control Board
Indiana Government Center South
Conference Room C
402 West Washington Street
Indianapolis, Indiana

April 16, 2003
1:00 p.m.

1. Mr. John Walker, Chairman, called the meeting to order. He noted that a quorum was present.

CALL TO ORDER
QUORUM

2. Chairman Walker introduced the board members.

INTRODUCTION OF
MEMBERS

Present: Mr. John Walker, Chairman
Mr. Thomas Anderson
Mr. Howard Cundiff
Mr. David Benshoof
Mr. John Bacone, Proxy, Department of Natural Resources
Ms. Pamela Fisher, Proxy, Lieutenant Governor
Mr. Chris Horn
Dr. James Miner
Mr. Randy Staley
Dr. Phil Stevens

Also present were Ms. Janet McCabe, Assistant Commissioner, and Ms. Kathy Watson, Air Programs Branch Chief. Others present are recorded on a separate sheet and made a part of this record. A court reporter was present and a transcript is available for review.

3. Ms. McCabe gave a brief report on legislative activities. She reported that the vehicle inspection maintenance program and language regarding environmental rulemakings are being discussed by the conference committee. Ms. McCabe reported on the April 10, 2003, memo regarding program related information that IDEM proposes to provide to the air pollution control board on a regular basis. She also summarized the reports that are provided to the Environmental Quality Service Council on a monthly basis.

REPORTS

Ms. McCabe reported on the exceedances of the PM₁₀ Standard in Lake County and an exceedance of the 8-hour ozone standard at a monitor near Anderson, Indiana.

Ms. McCabe reported on the NO_x SIP Call early reduction credits and reviewed a chart that summarizes the early reduction credits that had been requested from the Department for the 2001 and 2002 years.

Ms. McCabe updated the board members on the New Source Review Reform rule and the status of the department's rulemaking. Ms. McCabe reported that U.S. EPA announced a new program to control emissions from non-road diesel engines.

Ms. Watson gave an update of the 8-hour ozone standard and PM_{2.5} rules. Ms. Watson stated the ozone designation recommendations must be made by the governor by July 15, 2003 and U.S. EPA will make actual designations by April 15, 2004. Ms. Watson also said that State recommendations for designations under the PM_{2.5} standard are due to U.S. EPA by February, 2003. The U.S. EPA expects to make designations of nonattainment for PM_{2.5} by December, 2004.

4. Chairman Walker introduced the December 4, 2002, Air Pollution Control Board minutes.

MINUTES

Mr. Horn moved to adopt the December 4, 2002, Air Pollution Control Board's Minutes. Mr. Anderson seconded. The motion passed unanimously.

Chairman Walker introduced the February 5, 2003, Air Pollution Control Board minutes.

Dr. Miner moved to adopt the February 5, 2003, Air Pollution Board's Minutes. Mr. Horn seconded. The motion passed unanimously.

5. Chairman Walker introduced Exhibit 1-A, the rule as preliminarily adopted and proposed for final adoption with suggested changes incorporated, and Exhibit 1-B, the rule as preliminarily adopted, into the record of the hearing.

**PUBLIC HEARING
FOR FINAL
ADOPTION OF
AMENDMENTS TO
RULES 326 IAC 1-1-
3, References to the
Code of Federal
Regulations, 326 IAC
1-1-3.5, References to
the Compilation of Air
Pollution Emission
Factors AP-42 and
Supplements, And
Changes throughout
Title 326 to
standardize language,
And REPEAL of 326**

Ms. Gayla Killough, rulewriter, stated that every year, IDEM incorporates by reference the latest version of the Code of Federal Regulations and the compilation of air pollution emission factors, AP-42, and supplements. Many of Indiana's air quality standards, sampling procedures, monitoring requirements, and various compliance methodologies are based on federal requirements and are supported by standards developed by national experts. Incorporation by reference ensures that the state rules will not be interpreted in such a way as to conflict with federal law and national policy. Ms. Killough stated this year, the actual language used to incorporate by reference is being standardized so that every time a document is incorporated by reference, the language is consistent, and therefore interpretation will be consistent. Ms. Killough stated this rulemaking ensures that state rules are consistent with federal rules. This rulemaking will have the effect of updating every rule in Title 326 that incorporated by reference the Code of Federal Regulations and the compilation of air pollution emission factors, AP-42, and supplements, except where a specific year or edition is mentioned. Ms. Killough asked the board to final adopt the amendments.

Mr. Bacone moved to adopt the amendments to rules 326 IAC 1-1-3, 326 IAC 1-1-3.5, and repeal 326 14-1-4. Mr. Anderson seconded. The motion passed unanimously.

Mr. Anderson moved to final adopt rules 326 IAC 1-1-3, 326 IAC 1-1-3.5, as amended, and repeal 326 14-1-4. Mr. Horn seconded. The motion passed 10 - 0.

6. Chairman Walker introduced Exhibit 2, the draft rule, into the record of the hearing.

Ms. Gayla Killough, rulewriter, stated that the 1990 amendments to the Clean Air Act requires the U.S. EPA to regulate major sources of hazardous air pollutants. National Emissions Standards for Hazardous Air Pollutants (NESHAPs) require the application of air pollution reduction measures based on maximum achievable control technologies for the source category. For existing major sources, NESHAPs require that the standard already achieved by the better controlled sources is the new level that all existing sources must now meet. For new sources, NESHAPs require a level that is equivalent to the best controlled similar source. IDEM must incorporate the federal requirements into state rules or establish state requirements that are not less stringent. Ms. Killough stated that this rulemaking incorporates directly by reference NESHAPs for seven separate source categories. Ms. Killough asked the board to preliminarily adopt the amendments.

Mr. Staley moved to preliminarily adopt the new rules 326 IAC 20-49 thru 326 IAC 20-55. Mr. Benshoof seconded. The motion passed unanimously.

7. The next meeting was tentatively scheduled for Wednesday, May 7, 2003 at 1:00 p.m, Indiana Government Center South, Indianapolis, Indiana in Conference Room C.
8. Mr. Anderson moved to adjourn the meeting. Mr. Benshoof seconded. The vote was unanimous. Chairman Walker adjourned the meeting at 1:51 p.m.

**PUBLIC HEARING
FOR PRELIMINARY
ADOPTION OF NEW
RULES 326 IAC 20-49
thru 326 IAC 20-55,
Incorporation by
reference of seven
NESHAPs (Chemical
Recovery Combustion
Sources at Kraft, Soda,
Sulfite, and Stand-
Alone Semichemical
Pulp Mills; Petroleum
Refineries; Catalytic
Cracking Units,
Catalytic Reforming
Units, and Sulfur
Recovery Units;
Manufacturing of
Nutritional Yeast; Wet-
Formed Fiberglass Mat
Production; Leather
Finishing Operations;
Cellulose Products
Manufacturing; Rubber
Tire Manufacturing)
NEXT MEETING**

ADJOURNMENT

John Walker, Chairman

These minutes were taken from the April 16, 2003 transcript, and were written on July 7, 2003, by Karol T. Chuma, Office of Air Quality.